

**RECEIVED**  
**CENTRAL FAX CENTER**  
**DEC 16 2005**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Title: System for Marketing Goods and  
Services Utilizing Computerized  
Central and Remote Facilities

Inventor: Stephen C. Wren  
Serial No.: 08/650,834  
Filed: May 20, 1996

Art Unit 3625  
Mr. James Zurita  
Examiner

**APPEAL BRIEF**

**(1) Party of Interest**

The real party in interest herein is Variant Holdings LLC, a Nevis corporation, to which Mr. Wren, the sole inventor, assigned his rights. Variant Holdings, LLC is controlled by a trust established by Mr. Wren.

**(2) Related Appeals and Interferences**

This case is copending with serial number 09/504,374, filed February 15, 2000 -now on appeal. There are no other appeals or interferences of which Mr. Wren is a party.

**(3) Status of Claims**

The claims on appeal in this application are 30-36, 38-45, 47-54, 57-64, and 67-143, which have been reproduced in the appendix.

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#### **(4) Status of Amendment**

This appeal is taken from the final rejection. An amendment was filed by applicant after the final rejection on October 17, 2005 "to correct grammar, and spelling, and to provide a clear antecedent basis with consistent structure and terminology", but was refused entry.

#### **(5) Summary of the Invention** *(from the specification)*

Provided herein is a system which enables a customer to obtain knowledgeable assistance from a central facility and its salesperson or representative. This would be especially beneficial for customers of retail stores which sell large ticket items or complicated products which require or benefit from highly or moderately skilled sales people. This would respond to a common complaint that few stores have knowledgeable staff. The customer can then select and pay for his purchase at the terminal and take possession of his goods upon leaving.

As emphasized the system for marketing products and services herein includes a customer computerized communications facility, a central computerized communications facility remote therefrom, and a data link between them. An improvement herein is that computer means are provided at both the customer computerized communications facility and the central computerized communications facility, adapted to transmit and receive images and data from one to the other. Means also establish voice contact between the two communications facilities. A database is located at the central computerized communications facility containing products and services information. Input means at the customer computerized communications facility are adapted to enable a passive type of customer to access that database in order to view a presentation established to educate the customer about goods and services. Input means are also adapted to enable a dependent type of customer to contact a representative at the central

computerized facility while at the same time accessing the database, and if desired, bypassing the presentation to go to his desired level of information. The input means are also adapted to enable an independent type customer to proceed to a higher information level and in a self-service mode, to browse through the database to view desired information to learn about goods and services at that level of knowledge. Means are provided enabling all types of customers at any time they desire personal assistance to establish voice contact to talk to a representative at the central computerized communications facility. Input means located at the customer computerized communications facility and application software located at the central computerized communications facility enable either type of customer to download from the central computerized communications facility to the customer computerized communications facility information, for instance prices and contracts, desired by the customer.

#### (6) Issues

*The 1st issue is whether claims 115, 116, 121, 122, and 140-143 are unpatentable under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No. 5,734,823 (Saigh et al.) [Examiner's action, item 4]*

The applicant has support for the rental system as claimed at least as early as June 29, 1994. In contrast, Saigh does not have support for any use of rentals until July 25, 1996. Hence, Saigh cannot be said to constitute prior art. For at least that reason, applicant's claims should be allowed.

*A second issue is whether claim 123 is unpatentable under U.S.C. 102(e) as being anticipated by U.S. Patent No. 5,724,424 (Gifford). [5]*

The issue to be resolved here is whether downloading a document to be executed as a program which generates a purchase request and message anticipates using downloaded

application software to display or reproduce 'information contained in a transmitted hypermedia document'.

*Another issue is whether claims 30-33, 36, 39-45, 47, 49, 51, 54, 57-64, 67, 79-85, 87-90, 92, and 100 are unpatentable under 35 U. S. C. 103(a) as being anticipated by "Services: AT&T Provides Compass" (AT&T) in view of U.S. Patent No. 4,992,940 (Dworkin). [7]*

The question presented here is whether a reference that discloses a computer based directory which helps users "find out where research is located" anticipates a computer system for selling and/or marketing goods and/or services where customers may from a list provided by a first central facility select and contact another central facility to obtain additional product information.

*Whether claims 50, 72, 77, 78, and 86 are unpatentable under 35 U. S. C. 103(a) over AT&T and Dworkin in view of U.S. Patent No. 5,191,410 (McCalley et al.) [8]*

Here again, each rejected claim is dependent on a claim that is deemed to be in condition for allowance. Therefore, for at least this reason each dependent claim is allowable.

*Whether Claims 34, 35, 38, 48, 52, 53, 68, 69, 94, 95, 103, and 107 are unpatentable under 35 U. S. C. 103(a) over AT&T and Dworkin in view of U.S. Patent No. 5,347,632 (Filepp et al.) [9]*

Each rejected claim is dependent on a claim that is deemed to be in condition for allowance. Therefore, for at least this reason each dependent claim is allowable.

*Whether Claims 70-76 are unpatentable under 35 U. S. C. 103(a) over AT&T in view of Dworkin and McCalley. [10]*

The issues are whether there is a valid basis to combine these references and if the combination is appropriate.

*Whether Claims 93, 96-98, 101, and 104-106 are unpatentable under 35 U. S. C. 103(a) over AT&T and Dworkin in view of Examiner's Official Notice. [11]*

There are multiple issues to be addressed. One is whether there is a valid basis to combine these references and if the combination is appropriate. Another is if the use of Examiner's Official Notice is proper. However, each is moot given all claims depend on claims already deemed allowable.

*Whether Claims 108, 110-114 and 139 are unpatentable under 35 U. S. C. 103(a) over Saigh in view of U.S. Patent No. 5,576,951 (Lockwood). [12]*

Applicant's claims reciting storing and transmitting digital images are supported no later than June 1994. Saigh was filed July 1996 as a child in a chain of earlier applications. The only application in this chain that preceded applicant's above date contains no support for this limitation. For at least that reason, Saigh is therefore not prior art for these claims and they are allowable.

*Whether Claim 109 is unpatentable under 35 U. S. C. 103(a) over Saigh and Lockwood in view of U.S. Patent No. 5,819,092 (Ferguson et al.) [13]*

Applicant's claim is supported no later than June 1994. The earliest possible date for the Ferguson reference is November 1994. For at least that reason, Ferguson is therefore not prior art for this claim and the claim is allowable.

*Whether Claim 139 is unpatentable under 35 U. S. C. 103(a) over Saigh in view of Lockwood. [14]*

Even if the combination is proper this claims depends on a claim that is allowable. For at least that reason this claim is itself allowable.

*Whether Claim 124 is unpatentable under 35 U. S. C. 103(a) over Saigh. [15]*

Applicant's claim is supported no later than June 1994. The Saigh reference filed July 1996 is a child in a chain of earlier applications. The only application in this chain that preceded applicant's above date does not contain the portion cited by the Examiner in Saigh's issued specification. For at least that reason, Saigh is not prior art for this claim and the claim is allowable.

*Whether Claim 125 is unpatentable under 35 U. S. C. 103(a) over Gifford in view of Ferguson. [16]*

Applicant's claim is supported no later than June 1994. The earliest possible date for the Ferguson reference is November 1994. For at least that reason, Ferguson is therefore not prior art for this claim and the claim is allowable.

*Whether Claim 126 is unpatentable under 35 U. S. C. 103(a) over Gifford in view of Lockwood. [17]*

To be determined is whether there is a valid basis to combine these references and if the combination is appropriate. However, each is moot given this claim depends on a claim already allowable and is thereby itself allowable.

*Whether Claims 127-129 are unpatentable under 35 U. S. C. 103(a) over Gifford in view of Saigh. [18]*

Applicant's claims are supported no later than June 1994. The Saigh reference filed July 1996 is a child in a chain of earlier applications. The only application in this chain which preceded applicant's above date does not contain the drawings or portions cited by the Examiner in Saigh's issued specification. For at least that reason, Saigh is not prior art for these claims and the claims are allowable.

*Whether Claims 130-132 and 135-137 are unpatentable under 35 U. S. C. 103(a) over Saigh in view of U.S. Patent No. 5,963,916 (Kaplan/Intouch). [19]*

Applicant's claims are supported no later than June 1994. The Intouch reference filed October 1996 is a child of an earlier application. The earlier application in this chain which preceded applicant's above date does not contain the drawings or portions cited by the Examiner in Intouch's issued specification. For at least that reason, Saigh is not prior art for these claims and they are allowable.

*Whether Claim 133 is unpatentable under 35 U. S. C. 103(a) over Saigh and Intouch in view of Ferguson. [20]*

Applicant's claim is supported no later than June 1994. The earliest possible date for the Ferguson reference is November 1994. For at least that reason, Ferguson is therefore not prior art for this claim and it is allowable.

*Whether Claim 134 is unpatentable under 35 U. S. C. 103(a) over Saigh and Intouch in view of Lockwood. [21]*

To be determined is whether there is a valid basis to combine these references or if the combination is appropriate. However, each is moot given this claim depends on a claim already allowable and is thereby itself allowable.

*Whether Claim 138 is unpatentable under 35 U. S. C. 103(a) over Saigh in view of Ferguson. [22]*

Applicant's claim is supported no later than June 1994. The earliest possible date for the Ferguson reference is November 1994. For at least that reason, Ferguson is therefore not prior art for this claim and it is allowable.

*Whether Claim 30 is subject to the judicially created doctrine of obviousness-type double patenting as being unpatentable over Wren (US Patent No, 6,055,514) in view of AT&T and Dworkin. [24]*

Applicant's instant application shares the same priority date of his earlier 514 patent. Further, claim 30 is patentably distinct from all claims in the 514 patent. For at least these reasons, double patenting does not apply and the claim should not be subject to any such restriction.

*Whether Claims 108-114 and 130-143 are subject to the judicially created doctrine of obviousness-type double patenting as being unpatentable over Wren in view of Saigh, Ferguson, Intouch and Lockwood. [25]*

Applicant's instant application shares the same priority date of his earlier 514 patent. Further, these claims are all patentably distinct from all claims in the 514 patent. For at least these reasons, double patenting does not apply and the claims should not be subject to any such restriction.

#### **(7) Grouping of Claims**

Claims 30, 44, 59, 70, 82, 87, 88, 89, 90, 108, 115, 123, 130, 138, and 140 are independent claims. In addition, dependent claims include claims 31-36, 38-43, and 77 (all dependent on Claim 30); claims 45, 47-54, and 57-58, and 78-80 (dependent on Claim 44); claims 60-64, 67-69, and 81 (dependent on Claim 59); claims 71-76 (dependent on Claim 70); claims 83-86 (dependent on Claim 82); claim 99-107 (dependent on Claim 87); claims 109-114 (dependent on Claim 108); claims 116-122 (dependent on Claim 115); claims 124-129 (dependent on Claim 123); claims 131-137 (dependent on Claim 130); claim 139 (dependent on Claim 138); and claims 141-143 (dependent on Claim 140). Many of the dependent claims warrant special consideration as will be explained in detail below.



### (8) Arguments

*(i). Rejection of claims 115, 116, 121, 122, and 140-143 under 35 U.S.C. 102(e).*  
*[Examiner's action, item 4]*

claim 115 (independent, re: rentals)

Support for applicant's claim as presented in his July 2004 amendment came from parent application no. 08/268,309 filed 6/29/94. In fact, all of applicant's claims are supported no later than June of 1994 in parent application 08/268,309 as illustrated in his amendments of July 2004 (correction: please note support for the last element of claim 108 "a transaction record means..." should have been page 7, line 14) and August 2003.

In contrast, Saigh 5,734,823 was filed 7/25/96 as a child in a chain of filings. His earliest application -the only one that is prior (Ser. No. 07/787,536 filed Nov. 4, 1991)- contains no mention of rentals in his abstract, claims, SUMMARY OF THE INVENTION, drawings, DESCRIPTION OF THE DRAWINGS, nor anywhere else. Sections specifically directed at rentals did not exist ("2. Point of Rental Delivery System", etc.). Saigh is therefore not prior art for these claims (115, 116, 121, 122 and 140-143) and they are therefore, for at least these reasons, allowable.

From Saigh specification...

"This application is a continuation of U.S. patent application Ser. No. 08/367,056 filed Dec. 30, 1994, now abandoned, which is a continuation-in-part of the U.S. patent Ser. No. 08/296,120 filed Aug. 25, 1994, now abandoned, which is a continuation-in-part of Ser. No. 07/787,536 filed Nov. 4, 1991, now abandoned."

Further, the Saigh reference does not teach...

“a first computerized central communications facility adapted to be linked to a computerized remote facility and to a plurality of other computerized central communications facilities, each of said first or other computerized central communications facilities having information relating to goods or services stored in a database, and each of said first or other computerized central communications facilities having a processor programmed to:  
receive from a customer located at said computerized remote facility a request to at least one of search, browse and access in said database at said first or other computerized central communications facility for information of interest...”

...as claimed by applicant. None of the cited figures or passages cited by Examiner support the invention as claimed.

In fact, in Saigh's original specification filed in 1991 he doesn't even provide for the customer to contact a single central facility to access a database. Rather, as in the abstract of his 1991 specification, the central storage facility merely provides “text of books, periodicals, magazines, etc. encoded on laser readable disks to the book bank facilities”. This information is then transported, not transmitted. The claim is therefore, for this reason as well, allowable.

For at least these reasons, all dependent claims (116-122) are also allowable.

Claim 140 (independent, entertainment rentals)

As above, Saigh is not prior art for these claims. Further, in Saigh neither the cited figures or passages support...

...“each of said first or other computerized central communications facilities having a processor programmed to:

receive from a customer located at said computerized remote facility a request to at least one of search, browse and access in said database”.

This claim is therefore, for at least these reasons, allowable.

For at least these reasons, all dependent claims (141-143) are also allowable.

*(ii). Rejection of claim 123 under 35 U. S. C. 102(e). [5]*

To be considered is whether downloading a document to be executed as a program that generates a purchase request and message anticipates using downloaded application software to display or reproduce 'information contained in a transmitted hypermedia document'.

Examiner asserts Gifford at column 5, lines 60-2 and/or Fig 3 supports...

"providing at least one computerized remote communications facility and at least one computerized central communications facility coupled to said network environment, wherein said network environment is a hypermedia transmitted environment;

executing, at said computerized remote communications facility, browsing application software that processes a first transmitted hypermedia document to identify visual and/or audio information in said hypermedia document caused to be transmitted from said computerized central communications facility for a customer at said computerized remote communications facility;

utilizing said browsing application software to display, on a monitor at said computerized remote communications facility, at least a portion of a first transmitted hypermedia document received over said network from said computerized central communications facility, wherein a portion of said first hypermedia document is displayed within a first browsing application software window on said monitor at said computerized remote communications facility, wherein said computerized remote communications facility has downloaded application software from at least one of said computerized central communications facilities in a current or past session, wherein said browsing application software is operational to process information contained in

said hypermedia document, and wherein said downloaded application software is operational to translate information contained in said transmitted hypermedia document in order to display in said first browsing application software window or otherwise reproduce said information at a computer for said customer at said computerized remote communications facility."

In contrast, Gifford only states...

"In an alternate embodiment, document 22 is executed at 23 as a program. A program is defined as a set of instructions that can exhibit conditional behavior based upon user actions or the environment of the buyer computer. As is known to those skilled in the art, there are many techniques for representing programs as data. The program can be interpreted or it can be directly executed by the buyer computer. The program when executed will cause the buyer computer to interact with the user leading to the user purchase request 24, and the purchase message 25."

In Gifford then the downloaded program is only used to generate a 'user purchase request and message', not to 'translate information contained in a transmitted hypermedia document' as herein claimed. Nothing contained in Fig 3 supports this claimed limitation either.

For at least these reasons claim 123 is not anticipated by the reference and is therefore allowable.

*(iii). Rejection of claims 30-33, 36, 39-45, 47, 49, 51, 54, 57-64, 67, 79-85, 87-90, 92, and 100 under 35 U. S. C. 103(a). [7]*

To be considered is whether a reference that discloses a computer based directory which helps users find out "where research is located on the Internet" anticipates a computer system for selling and/or marketing goods and/or services where customers may from a list provided by a first central facility select and contact another central facility to obtain additional product information.

Claim 30 (independent, select and contact)

The AT&T summary is as follows...

"AT&T's on-line service, called the Directory of Directories, allows users free access to the Internet's first road map. The directory provides users with a one-stop shopping list of all the Internet's services and resources simply by conducting a word search. Users can access the directory of directories through Wide Area Information Service (WAIS), Archie, Telnet, Gopher, and electronic mail. WAIS, Archie, and Gopher are all network-based information tools that have been made popular by the Internet community. The service is free both to users and for Internet providers to list information about their service. According to industry analysts, this is the first time that users will be able to find out where information is stored on the Internet from a single location. The Directory of Directories is part of the Internet Network Information Centre (InterNIC) service. The InterNIC is a 3-member organization created by the National Science Foundation to provide network information services and is comprised of AT&T's Directory of Directories, Network Solutions' Registration Services, and General Atomics/Cerfnet's Information Services."

The Examiner fails to distinctly identify where the article's summary covers the invention as claimed: "An apparatus to market and/or sell goods or services over an electronic network". AT&T's only use was to find out 'where research is located'. He thereby fails to fulfill his burden of proof.

Nothing in AT&T suggests their system was used to market and/or sell goods and/or services (abstract or otherwise) as herein claimed. The Examiner is therefore using hindsight to modify the reference in light of the inventor's application. Note that the AT&T directory was part of InterNIC, "an organization created by the National Science Foundation". It was about scientific research, not commerce. The Examiner himself was unable to locate a passage that taught the invention as claimed otherwise he would have cited it. The Examiner on copending serial number 09/504,374 was aware of the reference, but chose to largely ignore it. Please note

that AT&T has 'users', whereas Wren has 'customers'. Wren is used to sell and market goods and services. AT&T is not.

Further, nowhere does AT&T teach...

"wherein at least one of said computerized central communications facilities is adapted to provide to said customer at said computerized remote facility a list of computerized central communications facilities permitting said customer to select and contact at least one other computerized central communications facility to request additional information relating to said goods or services"

The Examiner has failed to cite any passage within the reference that anticipates this limitation. AT&T is merely a directory of directories ("someone has put together all of the different directories into one place") telling users where they may find information they are looking for ("users will find it helpful to know where to look to find out where the information is located"). It does not permit a customer to "select and contact at least one other computerized central communications facility". The reference does not teach the invention as claimed. The Examiner is using hindsight to meet the applicant's claim.

For at least these reasons claim 30 is allowable.

#### Claim 31

Examiner improperly combines disparate references. Dworkin has one central facility providing product information to multiple customers, whereas AT&T has multiple central facilities providing research information to multiple users. These are structurally different systems. Combining them would therefore modify their principal of operation.

Further, claim 31 depends on claim 30. Since claim 30 is deemed allowable, so is claim 31.

Claim 32

The cited Dworkin passage does not teach...

“wherein at least one of said computerized central communications facilities is further programmed to contact the customer and apprise said customer of goods or services offered or any special offerings”.

It only teaches “Item No. 4 on the main menu enables the user to view information on new products and special promotions”. In Dworkin it is then the customer who contacts the central facility, not the central facility that contacts the customer as herein claimed. Therefore, for at least this reason this claim is allowable.

Claim 33

The AT&T reference does not teach...

“wherein said computerized central communications facility and each of said other computerized central communications facilities are associated with competing providers of goods or services”

The Examiner fails to distinctly cite any passage that teaches the invention as claimed and thereby fails to fulfill his burden of proof.

Further, this claim depends on a claim that is allowable. Therefore, for at least these reasons claim 33 is allowable.

Claim 36

The Examiner uses official notice and declares the recited use of a ‘presentation stopping point’ to be obvious. However, this limitation in a related case (US Pat No. 6055514) was ruled to be novel and an inventive step. Please see Notice of Allowability dated November 10, 1999, page 3, item 6 in said case. Examiner is therefore using hindsight.

Further, this claim depends on a claim that is deemed allowable. For at least these reasons, this claim is therefore allowable.

Claim 39

The AT&T reference does not teach...

“wherein said processor is further programmed to download software from said computerized central communications facility to said remote communications facility, said software adapted to present information of interest to said customer”

It only supports downloading data (directory). The Examiner fails to distinctly cite any passage and thereby fails to fulfill his burden of proof.

Further, this claim depends on a claim that is deemed allowable. For at least these reasons, this claim is allowable.

Claim 41

The cited Dworkin passage does not teach...

“wherein said processor is further programmed to download software from said computerized central communications facility to said remote communications facility, said software adapted to enable said customer to conduct a transaction using the information provided by said computerized central communications facility relating to goods or services”

It only supports downloading data (directory).

Further, this claim depends on a claim that is deemed allowable. For at least these reasons this claim is allowable.

Claim 43

This claim depends on a claim that is deemed allowable. For at least this reason it is allowable.



Claim 44 (independent, select and contact)

The AT&T reference was not for the purpose of marketing goods or services. Nothing in the reference supports the claimed limitation...

“An apparatus for marketing at least one of goods or services”

AT&T does not say it is used for marketing. The Examiner fails to distinctly cite any passage and thereby fails to fulfill his burden of proof. The Examiner is therefore using hindsight to modify the reference in light of the inventor's application.

Further, the Examiner misstates applicant's claim. It had been previously amended (July 2004) to recite “said first central communications facility adapted to enable said customer to select and contact a second central communications facility having a database of information relating to a second set of information relating to goods or services to provide upon request”. AT&T does not teach this limitation as is now contained in the present claim.

Dworkin has a database, but it does not support “a second central communications facility having a database of information relating to a second set of information relating to goods or services to provide upon request”. Dworkin has only one central facility from which a customer may request information. Even if it is proper to combine the references (we do not believe it is), one would still not meet the invention as claimed.

Therefore, for at least these reasons, the claim is allowable.

Claim 45

The Examiner improperly combines disparate references. Dworkin has one central facility providing product information to multiple customers, whereas AT&T has multiple central facilities providing research information to multiple users. In Dworkin all product information is stored at the sole central facility. In AT&T research information is stored in

multiple servers. They are structurally different systems. Combining them would therefore modify their principal of operation and be contrary to Dworkin's teaching that all accessible information should be stored in a single central facility.

Further, this claim depends on a claim that is deemed allowable. For at least these reasons the claim is allowable.

Claim 47

This claim depends on a claim that is deemed allowable. For at least this reason the claim is allowable.

Claim 49

This claim depends on a claim that is deemed allowable. For at least this reason the claim is allowable.

Claim 51

As noted above, the Office previously regarded the use of a 'presentation stopping point' as novel and inventive. Examiner is therefore using hindsight.

Further, this claim depends on a claim that is deemed allowable. For at least these reasons, the claim is allowable.

Claim 54

The cited Dworkin passage does not support "a software application for assisting the central communications facility to download a contract to the computerized remote location".

Further, this claim depends on a claim that is deemed allowable. For at least these reasons, the claim is allowable.

Claim 57

This claim depends on a claim that is deemed allowable. For at least this reason it is allowable.

Claim 58

The AT&T reference does not teach “means for downloading software from the central communications facility to the computerized remote facility” as herein claimed. The Examiner fails to cite any specific portion of the reference to support his contention and therefore fails to meet his burden of proof. AT&T only supports downloading data (directory).

Further, this claim depends on a claim that is deemed allowable. For at least these reasons, the claim is allowable.

Claim 59 (independent)

The Examiner argues claim 59 is ‘substantially similar’ to claims 30 and 44. Since claims 30 and 44 are deemed allowable, so is claim 59.

Claim 60

This claim depends on a claim that is deemed allowable. For at least this reason it is allowable.

Claims 61-64

The Examiner argues claims 61-64 are ‘similar in scope’ to claims 39-41. Since claims 39-41 are deemed allowable, so are claims 61-64.

Further, these claims depend on a claim that is deemed allowable and are therefore themselves allowable.

Claim 67

The Examiner argues claim 67 is 'similar in scope' to claim 42. Since claim 42 is deemed allowable, so is claim 67.

Further, this claim depends on a claim that is deemed allowable and is therefore itself allowable.

Claim 79

Nothing in the cited Dworkin figures teaches "wherein said first central communications facility further enables said customer to browse said first set of information relating to goods and service". In the cited figures Dworkin merely provides menus containing lists of options from which a customer may choose. He does not provide the functionality herein claimed, namely 'to browse'. For at least this reason the claim is allowable.

Further, this claim depends on a claim that is deemed allowable and is therefore itself allowable.

Claim 80

Similar arguments as in claim 79 above.

Claim 81

The cited Dworkin figures do not teach "enabling the remote facility to search said first database or said second database". In the cited figures Dworkin merely provides menus containing lists of options from which a customer may choose. For at least that reason this claim is therefore allowable.

Further, this claim depends on a claim that is deemed allowable and is therefore itself allowable.

Claims 82-85

The Examiner argues claims 82-85 are 'similar in scope' to claims 30-33. Since claims 30-33 are deemed allowable, so are claims 82-85.

Further, these claims depend on a claim that is deemed allowable and are therefore themselves allowable.

Claims 87-90

The Examiner argues claims 87-90 are 'similar in scope' to claims 30-33, etc. Since claims 30-33 are deemed allowable, so are claims 87-90.

Claims 92, 100

The Examiner argues claims 92 and 100 are 'similar in scope' to claim 32. Since claim 32 is deemed allowable, so are claims 92 and 100.

*(iv). Rejection of claims 50, 72, 77, 78, and 86 under 35 U. S. C. 103(a). [8]*

Even if it is proper to combine these references, each rejected claim is dependent on a claim that is deemed in condition for allowance. Therefore, for at least this reason each claim is allowable.

*(v). Rejection of claims 34, 35, 38, 48, 52, 53, 68, 69, 94, 95, 103, and 107 under 35 U. S. C. 103(a). [9]*

Claim 34

Even if it is proper to combine these references, this claim is dependent on a claim that is deemed in condition for allowance. Therefore, for at least this reason this claim is allowable.

Claim 35

The combination of Dworkin, AT&T and Filepp as above is improper as they teach away from one another. For example, Filepp teaches a single source of information as at column 6, line 41, whereas AT&T teaches multiple sources. To combine would be to change the principal of operation.

Further, the cited Filepp passages only support that presentation data may contain codes for audio signals, videotext -which is the display of text on a video screen, and sounds as may be programmed to emit an audible of a particular pitch and duration such as a beep. None of these support the invention as claimed "adapted to provide information relating to goods or services in the form of an audio or video presentation".

Also, the rejected claim is dependent on a claim that is deemed in condition for allowance.

For at least these reasons the claim is allowable.

Claim 38

It is not proper to combine these references as Filepp teaches away from AT&T. Filepp teaches a single source of information as at column 6, line 41, whereas AT&T teaches multiple sources. To combine would be to change the principal of operation. Further, this claim depends on another which is deemed allowable. For at least these reasons the claim is allowable.

Claim 48

The Examiner argues claim 48 is "substantially similar" to claim 35. Since claim 35 is deemed allowable, so is 48.

Claim 52

The combination of Dworkin, AT&T and Filepp as above is improper as they teach away from one another. For example, Filepp teaches a single source of information as at column 6, line 41, whereas AT&T teaches multiple sources. To combine would be to change the principal of operation.

Also, the rejected claim is dependent on a claim that is deemed in condition for allowance. For at least these reasons the claim is allowable.

Claim 53

Filepp's displaying "quotes and buy/sell orders for stocks and bonds" is not the same as providing "auctioning services" as claimed. Utilizing the common meaning of the word as set forth in Webster's New Lexicon Dictionary publ. 1989, pg 61, the stock and bond market is clearly not an auction (i.e. a public sale at which the goods are sold to the highest bidder).

Also, it is not proper to combine these references as Filepp teaches away from AT&T. For example, Filepp teaches a single source of information as at column 6, line 41, whereas AT&T teaches multiple sources. To combine would be to change the principal of operation.

Further, the rejected claim is dependent on a claim that is deemed in condition for allowance. For at least these reasons the claim is allowable.

Claim 68

The Examiner argues 68 is similar in scope to claim 35. Since claim 35 is deemed allowable, and for at least that reason, so is 68.

Claim 69

The Examiner argues claim 69 is similar in scope to claim 36. Since claim 36 is deemed allowable, and for at least that reason, so is claim 69.

Claim 94

Applicant assumes Examiner meant to cite Filepp, not Dworkin. Even if having the customer enter an access code was the same as verifying the identity of the customer, it is not proper to combine these references as Filepp teaches away from AT&T. Filepp teaches a single source of information as at column 6, line 41, whereas AT&T teaches multiple sources. To combine would be to change the principal of operation.

Further, this claim depends on a claim that is deemed allowable. For at least these reasons this claim is allowable.

Claims 95 and 103

The Examiner misstates Filepp. The cited section only states that his system "provides information on a wide variety of topics, including, but not limited to news, industry, financial needs...". It does not "provide information about the sale or financing of housing" as applicant claims.

Further, and as above, it is not proper to combine these references as Filepp teaches away from AT&T. Filepp teaches a single source of information as at column 6, line 41, whereas AT&T teaches multiple sources. To combine would be to change the principal of operation.

Also, these claims depend on claims that are deemed allowable. For at least these reasons these claims are allowable.



Claim 107

The Examiner argues claim 107 is similar in scope to claim 53. Since claim 53 is deemed allowable, so is claim 107.

*(vi). Rejection of claims 70-76 under 35 U. S. C. 103(a). [10]*

Claim 70

The Examiner misstates applicant's claim. As amended in July 2004 the claim was changed as follows:

In Claim 70, line 4, delete the words "direct said customer to at least one other central communication facility" and replace them with -- enable said customer to select and contact at least one other second central communication facility --.

Use of the limitation "select and contact" is not anticipated by any of the references as documented above.

Further, and as above, the Examiner improperly combines disparate references. Dworkin has one central facility providing product information to multiple customers, whereas AT&T has multiple central facilities providing research information to multiple users. In Dworkin all product information is stored at the sole central facility. In AT&T research information is stored in multiple servers. They are structurally different systems. Combining them would therefore modify their principal of operation and be contrary to Dworkin's teaching that all accessible information should be stored in a single central facility.

For at least these reasons this claim is allowable.

Claims 71-76

Each claim is dependent on a claim that is deemed allowable. Therefore, for at least that reason each claim is allowable.

*(vii). Rejection of claims 93, 96-98, 101, and 104-106 under 35 U. S. C. 103(a). [11]*

For the reasons discussed fully above, the combination of AT&T and Dworkin is improper. Similarly, the combination of the Official Notice with AT&T and Dworkin is improper.

Further, each claim is dependent on a claim that is deemed allowable. Therefore, for at least these reasons each claim is allowable.

*(viii). Rejection of claims 108, and 110-114 under 35 U. S. C. 103(a). [12]*

Claim 108 (independent, woolston 265)

Applicant's claim reciting in part "means for transmitting said digital image and data record to said marketing apparatus" is supported no later than June 1994. The Saigh reference filed July 1996 is a child in a chain of earlier applications. The only application in this chain which preceded applicant's above date contains no support for transmitting any product information. The cited figure didn't even exist. As per the Field of the Invention section in his Nov 91 specification the product information was retrieved via laser discs, not via network.

For at least that reason, Saigh is therefore not prior art for this claim and it is allowable.

Claim 110

In Saigh the cited passage (column 14, lines 21-25) does not support "provide a coupon relating to said goods or services to said customer" as applicant claims. Permitting users to view "available discounts" does not provide them coupons. This claim is therefore deemed allowable.

Further, as above, the only Saigh specification that predates inventor's disclosure doesn't even contain this "Promotional Delivery System" section found in Saigh's cited specification. Saigh is then not prior art for this claim.

Also, claim 110 depends on claim 108, which is deemed allowable. For at least these reasons, the claim is allowable.

#### Claim 111

Claim 111 depends on claim 108, which is deemed allowable. Therefore, for at least this reason, claim 111 is allowable.

#### Claim 112

In the Saigh reference neither the figure cited nor anything in his disclosure supports the claimed limitation "wherein at least one of said computerized central communications facilities is configured to enable said customer to select and contact another computerized central communications facility". The Examiner is using hindsight to modify the Saigh disclosure. In fact, in Saigh's only specification that predates applicant's disclosure he fails to teach enabling the user to contact any central facility as all information was retrieved from local laser discs as above. Saigh is therefore not prior art for this claim.

Further, this claim is dependent on a claim that is deemed allowable. Therefore, for at least these reasons claim 112 is allowable.

#### Claim 113

In the Saigh reference the cited passage (column 14, lines 21-25) does not support the invention as claimed- "wherein at least one of said apparatus is configured to contact said customer". Further, as above the only Saigh specification that predates inventor's disclosure

doesn't even contain this "Promotional Delivery System" section found in the Saigh reference. Therefore, Saigh is not prior art for this claim.

Further, this claim is dependent on a claim that is deemed allowable. Therefore, for at least these reasons claim 113 is allowable.

#### Claim 114

In the Saigh reference the cited passage (column 14, lines 16-25) does not support the invention as claimed- "wherein at least one of said apparatus is configured to initiate contact with said customer". Further, as above the only Saigh specification that predates inventor's disclosure doesn't even contain this "Promotional Delivery System" section found in the Saigh reference. Therefore, Saigh is not prior art for this claim.

Further, this claim is dependent on a claim that is deemed allowable. Therefore, for at least these reasons claim 114 is allowable.

#### Claim 139

Even if this combination of references is motivated and proper, this claim depends on another which is deemed allowable. Therefore, for at least this reason this claim is allowable.

*(ix). Rejection of claim 109 under 35 U. S. C. 103(a). [13]*

Applicant's claim is supported no later than June 1994. The earliest possible date for the Ferguson reference is November 1994. Ferguson is therefore not prior art for this claim. For at least that reason the claim is allowable.

*(x). Rejection of claim 139 under 35 U. S. C. 103(a). [14]*

Even if this combination of references is motivated and proper, this claim depends on another which is deemed allowable. Therefore, for at least this reason this claim is allowable.

*(xi). Rejection of claim 124 under 35 U. S. C. 103(a). [15]*

In the Saigh reference the cited passage (column 14, lines 21-25) only supports permitting users to “access the promotional and commercial information including the dynamic viewing electronically of advertising, available discounts, commercials, special promotional events...”. It does not support the invention as claimed- “wherein at least one of said computerized central communications facilities is configured to provide a coupon relating to goods or services to said customer”.

Further, Applicant’s claim is supported no later than June 1994. The Saigh reference filed July 1996 is a child in a chain of earlier applications. The only application in this chain that preceded applicant’s above date doesn’t even contain this “Promotional Delivery System” section cited in the Saigh patent. Therefore, Saigh is not prior art for this claim.

Further, this claim is dependent on a claim that is deemed allowable. Therefore, for at least these reasons this claim is allowable.

*(xii). Rejection of claim 125 under 35 U. S. C. 103(a). [16]*

As above, applicant’s claim is supported no later than June 1994. The earliest possible date for the Ferguson reference is November 1994. Ferguson is therefore not prior art for at least this claim.

Further, this claim is dependent on a claim that is deemed allowable. Therefore, for at least these reasons this claim is allowable.

*(xiii). Rejection of claim 126 under 35 U. S. C. 103(a). [17]*

Even if this combination of references is motivated and proper, this claim depends on another which is deemed allowable. Therefore, for at least this reason this claim is allowable.

*(xiv). Rejection of claims 127-129 under 35 U. S. C. 103(a). [18]*

Claim 127

In the Saigh reference neither the figure (Fig 1) cited nor anything in his disclosure supports the claimed limitation “wherein at least one of said computerized central communications facilities is configured to enable said customer to select and contact another computerized central communications facility”.

Further, Applicant’s claims are supported no later than June 1994 as noted above. The Saigh reference filed July 1996 is a child in a chain of earlier applications. The only application in this chain that preceded applicant’s above date does not even contain the drawing cited by the Examiner. Therefore, Saigh is not prior art for this claim.

Also, this claim is dependent on a claim that is deemed allowable. Therefore, for at least these reasons this claim is allowable.

Claim 128

In the Saigh reference the cited passage (column 24, lines 21-25) does not support the invention as claimed- “wherein at least one of said computerized central communications facilities is configured to contact said customer”.

Further, Applicant’s claims are supported no later than June 1994 as noted above. The Saigh reference filed July 1996 is a child in a chain of earlier applications. The only application in this chain that preceded applicant’s above date does not even contain this “Promotional Delivery System” section cited by the Examiner. Therefore, Saigh is not prior art for this claim.

Also, this claim is dependent on a claim that is deemed allowable. Therefore, for at least these reasons this claim is allowable.

Claim 129

In the Saigh reference the cited passage (column 14, lines 16-25) does not support the invention as claimed- "wherein at least one of said computerized central communications facilities is configured to initiate contact with said customer".

Further, Applicant's claims are supported no later than June 1994 as noted above. The Saigh reference filed July 1996 is a child in a chain of earlier applications. The only application in this chain that preceded applicant's above date does not even contain this "Promotional Delivery System" section cited by the Examiner. Therefore, Saigh is not prior art for this claim.

Also, this claim is dependent on a claim that is deemed allowable. Therefore, for at least these reasons this claim is allowable.

*(xv). Rejection of claims 130-132 and 135-137 under 35 U. S. C. 103(a). [19]*

Applicant's claims are supported no later than June 1994. The Intouch reference filed October 1996 is a child of earlier application. The earlier application in this chain which preceded applicant's above date does not contain the drawings or portions cited by the Examiner in Intouch's issued specification. For at least that reason, Saigh is not prior art for these claims and the claims are allowable.

#### Claim 130

The Intouch 5,963,916 patent is a continuation in part of an original application filed beginning in 1990. The original application (subsequently issued as pat no. 5,237,157) did not support "interactively previewing the received chosen pre-selected portion of the pre-recorded entertainment product" such as over the Internet. That feature was added to his specification in 10/96. In fact, in his 916 patent Kaplan/Intouch admits in his SUMMARY OF THE INVENTION that "The present invention provides for an improvement to the '157 patent by integrating a network web site as the source of the pre-recorded products and the controlling

software”. In the ‘157 application the samples were stored on CD-ROM disks in the kiosk (see column 4, lines 39-60...“storage on CD ROM discs in the kiosk body 50”; and his Technical Field section “CD-ROM stored audio and video data”). In contrast, support applicant presented in his July 2004 amendment came from parent appln no. 08/268,309 filed 6/29/94 as above noted.

Further, the Saigh cited passage “column 7, lines 5-11” does not support “preview a portion of a pre-recorded entertainment product from a network computerized central communications facility ...”, as is claimed. It teaches a point of purchase system, but does not support ‘previewing from a computerized central communications facility’. As discussed above the only prior Saigh specification used local storage.

Similarly, the cited Saigh passages do not support...

a) “choosing at least one pre-selected portion of the pre-recorded entertainment products from said central computer” (column. 6, lines 4-31). Instead it only teaches permitting a customer to retrieve a list of available titles from the local laser disc as documented above in the analysis of claim 115.

b) “receiving the chosen pre-selected portion of the pre-recorded products” (column. 6, lines 4-31). Instead, it only teaches permitting a customer to retrieve a list of available titles from the local laser disc.

Therefore, Intouch is not prior art and claim 130 is for at least these reasons allowable.

#### Claim 131

Saigh (column 10, lines 52-61) does not support “allowing the central host server to identify and track the user's progress through the network computerized central communications facility” as claimed.



Further, the only Saigh specification which predates inventor's disclosure doesn't even contain this section cited by the Examiner. Therefore, Saigh is not prior art for this claim.

Also, this claim is dependent on a claim that is deemed allowable. Therefore, for at least these reasons the claim is allowable.

#### Claim 132

Saigh (column 14, lines 15-25) does not support "wherein at least one of said computerized central communications facilities is configured to provide a coupon relating to said goods or services to said customer" as claimed.

Further, the only Saigh specification which predates inventor's disclosure doesn't even contain this "Promotional Delivery System" section cited by the Examiner. Therefore, Saigh is not prior art for this claim.

Also, this claim is dependent on a claim that is deemed allowable. Therefore, for at least these reasons the claim is allowable.

#### Claim 135

Saigh, neither the figure cited (Fig 1) nor anything in his disclosure, supports the claimed limitation "wherein at least one of said computerized central communications facilities is configured to enable said customer to select and contact another computerized central communications facility". Fig 1 merely discloses a transactional network without the specific functionality to "select and contact another". In fact, in his only specification that predates applicant's disclosure, Saigh fails to teach enabling the user to contact any central facility and is therefore not prior art.

Further, the drawing in question is not even contained in Saigh's original 1991 application.

Also, this claim is dependent on a claim that is deemed allowable. Therefore, for at least these reasons the claim is allowable.

#### Claim 136

The Saigh cited passage (column 14, lines 15-25) does not support the invention as claimed -“wherein at least one of said computerized central communications facilities is configured to contact said customer”. It only teaches the customer contacting the central information bank, not the central facility contacting the customer as here claimed.

Further, as above the only Saigh specification which predates inventor’s disclosure doesn’t even contain this “Promotional Delivery System” section. Therefore, Saigh is not prior art for this claim.

Also, this claim is dependent on a claim that is deemed allowable. Therefore, for at least these reasons the claim is allowable.

#### Claim 137

The Saigh cited passage (column 14, lines 15-25) does not support the invention as claimed -“wherein at least one of said computerized central communications facilities is configured to initiate contact with said customer”.

Further, as above the only Saigh specification which predates inventor’s disclosure doesn’t even contain this “Promotional Delivery System” section. Therefore, Saigh is not prior art for this claim.

Also, this claim is dependent on a claim that is deemed allowable. Therefore, for at least these reasons the claim is allowable.

*(xvi). Rejection of claim 133 under 35 U. S. C. 103(a). [20]*

Applicant's claim is supported no later than June 1994, as above. The earliest possible date for the Ferguson reference is November 1994. Ferguson is therefore not prior art for this claim.

Also, this claim is dependent on a claim that is deemed allowable. Therefore, for at least these reasons the claim is allowable.

*(xvii). Rejection of claim 134 under 35 U. S. C. 103(a). [21]*

Even if this combination of references is motivated and proper, this claim depends on another which is allowable. Therefore, for at least this reason this claim is allowable.

*(xviii). Rejection of claim 138 under 35 U. S. C. 103(a). [22]*

Ferguson's earliest date is November 1994. In contrast, support applicant presented for all claims (including this limitation: "wherein said computerized central communications facility provides auctioning services including receipt of auction bids placed by customers") in his July 2004 amendment came from parent appln no. 08/268,309 filed 6/29/94. Ferguson is therefore not prior art. Therefore, for at least these reasons the claim is allowable.

*(xix). Rejection of Claim 30 under the judicially created doctrine of obviousness-type double patenting. [24]*

This application is a sibling of the Wren 514 patent (copending). Both are children of the same parent application (Ser. No.08/268,309, filed June 29, 1994) and therefore this application is not subject to the Wren 514 patent other than for claiming the same subject matter.

Each of the claims cited for double patenting by the Examiner differ distinctly from the claims of the 514 patent. For example...

Claim 30 of the instant application is not the same as claim 1 of its related 514 patent. It includes the following limitation not found in the 514 patent claim...

“wherein at least one of said computerized central communications facilities is adapted to provide to said customer at said computerized remote facility a list of computerized central communications facilities permitting said customer to select and contact at least one other computerized central communications facility”.

Consequently, claim 30 is patentably distinct and therefore patentable over its copending 514.

*(xx). Rejection of Claims 108-114 and 130-143 under the judicially created doctrine of obviousness-type double patenting. [25]*

Applicant's instant application shares the same priority date of his earlier 514 patent. Further, these claims are all patentably distinct from all claims in his 514 patent. For at least these reasons, double patenting does not apply and the claims should not be subject to any such restriction.

Specifically...

Claim 108 of the instant application is not the same as claim 1 of its copending Wren 514 patent.

For example, claim 108 includes the limitation not found in the 514 patent claim of:

“said processor receiving an identification code from said distant communications apparatus”

Claim 108 is then patentably distinct and therefore patentable over its copending Wren 514 patent. Likewise, as it is not subject to double patenting restrictions its dependent claims 109-114 should not be.

Claim 130 of the instant application is not the same as claim 1 of its copending Wren 514 patent.

For example, claim 130 includes a limitation not found in the 514 patent claim of:

“enabling a remote user to preview a portion of a pre-recorded entertainment product from a network computerized central communications facility ”

Claim 130 is then patentably distinct and therefore patentable over its copending Wren 514 patent. Likewise, as it is not subject to double patenting restrictions its dependent claims 131-137 should not be.

Claim 138 of the instant application is not the same as claim 1 of its copending Wren 514 patent.

For example, claim 138 includes a limitation not found in the 514 patent claim of:

“wherein said computerized central communications facility provides auctioning services including receipt of auction bids placed by customers ”

Claim 138 is therefore patentably distinct and therefore patentable over its copending Wren 514 patent.

Claim 139 is dependent on clm 115 which is not subject to double patenting, therefore double patenting does not apply to claim 139.

Claim 140 of the instant application is not the same as claim 1 of its copending Wren 514 patent.

For example, claim 140 includes a limitation not found in the 514 patent claim of:

“wherein at least one of said computerized central communications facilities is adapted to provide said customer information regarding entertainment rentals”

Claim 140 is then patentably distinct and therefore patentable over its copending Wren 514 patent. Likewise, as it is not subject to double patenting restrictions its dependent claims 141-143 should not be.

In conclusion, this application is copending with and therefore shares the same priority date as the Wren 514 patent. The inventions claimed herein are all patentably distinct from those in the 514 patent. Double patenting is therefore not an issue.

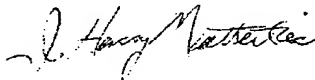
*(xxi). Examiner's response to arguments.*

All Examiner's assertions and arguments are responded to claim by claim above.

**(9) Summary**

**Applicant therefore requests entry of the after final amendment -wherein only dependent claims were amended- and allowance of all claims.**

Respectfully submitted,



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## **(9) APPENDIX**

### **Claims on Appeal**

30. An apparatus to market and/or sell goods and/or services over an electronic network comprising:

a first computerized central communications facility adapted to be linked to a computerized remote facility and to a plurality of other computerized central communications facilities, each of said first or other computerized central communications facilities having information relating to goods or services stored in a database, and each of said first or other computerized central communications facilities having a processor programmed to:

receive from a customer located at said computerized remote facility a request to at least one of search, browse and access in said database at said first or other computerized central communications facility for information of interest;

enable said customer to at least one of search, browse and access said database for information of interest; and

transmit said information of interest from the database at said computerized central communications facility to said computerized remote communications facility;

wherein at least one of said computerized central communications facilities is adapted to provide to said customer at said computerized remote facility a list of computerized central communications facilities permitting said customer to select and contact at least one other computerized central communications facility to request additional information relating to said goods or services.

31. The apparatus of claim 30, wherein said computerized central communications facility is further programmed to facilitate a transaction between said computerized central communications facility and said computerized remote communications facility.

32. The apparatus of claim 30, wherein at least one of said computerized central communications facilities is further programmed to contact the customer and apprise said customer of goods or services offered or any special offerings.

33. The apparatus of claim 30, wherein said computerized central communications facility and each of said other computerized central communications facilities are associated with competing providers of goods or services.

34. The apparatus of claim 30, wherein at least one of said computerized central communications facility and said other computerized central communications facilities further includes an audio communication device for communication with said computerized remote communications facility.

35. The apparatus of claim 30, wherein said computerized central communications facility and at least one of said other computerized central communications facilities is further adapted to provide information relating to goods or services in the form of an audio or video presentation.

36. The apparatus of claim 35, wherein said apparatus further comprises means for recording a presentation stopping point for future reference.

38. The apparatus of claim 30, wherein said processor is further programmed to compile a customer profile based on the customer's search of the database and to provide targeted advertising based on said customer profile.

39. The apparatus of claim 30, wherein said processor is further programmed to download software from said computerized central communications facility to said remote communications facility, said software adapted to present information of interest to said customer.

40. The apparatus of claim 30, wherein said processor is further programmed to download software from said computerized central communications facility to said remote communications facility, said software adapted to enable the customer to communicate with said central communications facility.

41. The apparatus of claim 30, wherein said processor is further programmed to download software from said computerized central communications facility to said remote



communications facility, said software adapted to enable said customer to conduct a transaction using the information provided by said computerized central communications facility relating to goods or services.

42. The apparatus of claim 30, wherein said processor is further programmed to provide an interactive presentation relating to goods or services.

43. The apparatus of claim 42, wherein said interactive presentation includes an audio presentation in the form of a computerized voice.

44. An apparatus for marketing at least one of goods or services, comprising:  
a first central communications facility having a first database of information relating to goods or services to provide to a customer at a computerized remote facility upon request, said first central communications facility adapted to enable said customer to select and contact a second central communications facility having a database of information relating to a second set of information relating to goods or services to provide upon request; and

a communication device to enable said first central communications facility to communicate with said remote facility, said communication including transmitting said first set of information from said first central communications facility to said remote facility.

45. The apparatus of claim 44, further comprising means enabling said central communications facility or said other central communications facilities to conduct a transaction with said remote communications facility.

47. The apparatus of claim 44, wherein said central communications facility or at least one of the other central communications facilities further provides a directory of providers of goods or services.

48. The apparatus of claim 44, wherein said information relating to goods or services is an audio or a video presentation.

49. The apparatus of claim 48, wherein said audio presentation is adapted to have the form of a computerized voice.

50. The apparatus of claim 44, wherein said central communications facility is further adapted to provide live customer assistance upon request.

51. The apparatus of claim 44, wherein said apparatus further comprises means for recording a presentation stopping point for future reference.

52. The apparatus of claim 44, wherein said goods or services include financial services.

53. The apparatus of claim 44, wherein said goods or services include auctioning services.

54. The apparatus of claim 44, further comprising a software application for assisting the central communications facility to download a contract to the computerized remote location.

57. The apparatus of claim 44, further comprising a software application adapted to assist the customer to download information relating to goods or services from said central communications facility.

58. The apparatus of claim 44, further comprising means for downloading software from the central communications facility to the computerized remote facility.

59. A method for electronically transacting goods or services between a customer at a remote location and a plurality of providers of goods or services comprising:

providing a first database associated with a first provider of goods or services and containing information relating to goods or services, said first database adapted to direct the customer at a remote location to a second database associated with a second provider of goods or services and containing information relating to goods or services; and

enabling a remote facility to browse each of said first or second databases for information relating to goods or services.

60. The method of claim 59, further comprising establishing communication with a third database containing information relating to goods or services.

61. The method of claim 59, further comprising downloading a software application to said remote facility, said software application adapted to present additional information relating to goods or services to the customer.

62. The method of claim 59, further comprising downloading a software application to the remote facility, said software application adapted to assist said customer in conducting a transaction using said first or said second database.

63. The method of claim 59, further comprising downloading a software application to the remote facility, said software application adapted to assist the customer to communicate with said first or said second database.

64. The method of claim 59, further comprising periodically updating each of said first and said second database.

67. The method of claim 59, further comprising providing live assistance to said remote facility to assist browsing said first or said second database.

68. The method of claim 59, further comprising providing an audio- visual presentation relating to said goods or services.

69. The method of claim 68, wherein said audio-visual presentation has the form of computerized voice.

70. Apparatus for marketing goods or services, comprising:

a central communications facility to provide information relating to goods or services to a customer at a computerized remote facility, said central communications facility adapted to enable said customer to select and contact at least one other central communications facility providing information relating to goods or services;

a first communication device associated with said central communications facility for providing live communication between the central communications facility and said computerized remote facility;

a second communication device associated with said central communications facility for providing a second simultaneous communication between said central communications facility and said computerized remote facility; and

a database of information relating to goods or services accessible by said customer at said remote facility.

71. The apparatus of claim 70, wherein said database of information relating to goods or services includes a directory of providers of goods or services.

72. The apparatus of claim 70, wherein said live assistance is interactive.

73. The apparatus of claim 70, wherein said central communications device is adapted to download a software application to said computerized remote facility.

74. The apparatus of claim 73, wherein said software application is adapted to provide additional information relating to goods or services

75. The apparatus of claim 73, wherein said software application is adapted to enable said computerized remote facility to communicate with said central communications facility.

76. The apparatus of claim 73, wherein said software application is adapted to enable said computerized remote facility to facilitate a transaction using the information provided by said central communications facility.

77. The apparatus of claim 30, wherein said computerized central communications facility is further programmed to provide said customer with live assistance upon request.

78. The apparatus of claim 44, wherein said first central communications facility is further adapted to provide live customer assistance upon request.

79. The apparatus of claim 44, wherein said first central communications facility further enables said customer to browse said first set of information relating to goods and service.

80. The apparatus of claim 44, wherein said second central communications facility enables said customer to browse said second set of information relating to goods or services.

81. The method of claim 59, further comprising enabling the remote facility to search said first database or said second database.

82. An apparatus for providing information relating to goods and services comprising:  
a first computerized central communications facility of a first provider linked to a plurality of other computerized central communications facilities providing information relating to goods and services, at least one of said plurality of other computerized central communications facilities associated with a second provider, and to a computerized remote

facility adapted to have access to said plurality of other computerized central communications facilities;

wherein at least one of said computerized central communications facilities is adapted to provide information to enable said remote facility to select and contact another one of said computerized central communications facilities.

83. The apparatus of claim 82, wherein each of the plurality of central communications facilities is connected to a first central communications facility.

84. The apparatus of claim 82, wherein each of said plurality of central communications facilities is linked to at least one other central communications facility.

85. The apparatus of claim 82, wherein each of said central communications facilities is further adapted to provide information relating to at least one of goods or services.

86. The apparatus of claim 82, wherein at least one of said central communications facilities is adapted to provide live assistance to said remote facility.

87. An apparatus for marketing goods and services, comprising:

a central communications facility adapted to provide a set of information relating to goods or services to a customer at a computerized remote facility, said central communications facility further adapted to be accessible to said customer through information provided by at least one other central communications facility; and

a communication device to enable said central communications facility to communicate with said remote facility, said communication including transmitting said set of information to said customer at said remote facility.

88. An apparatus to market goods or services over an electronic network, comprising:

a first computerized central communications facility of a first provider linked to a second computerized central communications facility of a second provider and to a remote facility of a customer, said first computerized central communications facility having information relating to goods or services stored in a database, and a processor programmed to:

receive from said customer a request to at least one of search, browse and access said database for information of interest;

enable said customer to at least one of search, browse and access said database for information of interest;

transmit said information of interest from said database to said computerized remote communications facility;

direct said customer to said second computerized central communications facility, said second computerized central communications facility having information relating to goods or services stored in a database; and

periodically update said database in said first or second computerized central communications facility.

89. A first computerized central communications facility linked to a plurality of other computerized central communications facilities, said first computerized central communications facility comprising:

a database of information relating to goods or services;

a communication device for communicating with a customer at a remote facility; and

a processor programmed to:

receive from said customer a request to search, browse or access said database,

enable said customer to at least one of search, browse or access said database for information of interest,

communicate said information of interest to said customer,

direct said customer to one of said other computerized central communications facilities that has information relating to goods or services in competition with at least one of said first computerized central communications facility or said other computerized central communications facilities.

90. A first computerized central communications facility linked to a plurality of other computerized central communications facilities, at least one of said other computerized central communications facilities providing information relating to goods or services in competition with said first computerized central communications facility, said first computerized central communications facility comprising:

a database of information relating to goods or services;

a communication device for communicating with a customer at a computerized remote facility; and

a processor programmed to:

- receive from said customer a request for information relating to goods or services,
- enable said customer to at least one of search, browse or access said database for information relating to said goods or services, and
- communicate said information relating to said goods or services to said customer;

wherein said customer at said computerized remote facility can access information at said first computerized central communications facility and at said at least one other competing computerized central communications facility by using software downloaded from said first computerized central communications facility or from at least one other computerized central communications facility.

91. The apparatus of claim 82, wherein at least one of said computerized central communications facilities is configured to initiate contact with said customer.

92. The apparatus of claim 82, wherein at least one of said computerized central communications facilities is configured to contact said customer and apprise said customer of goods or services offered or any special offerings.

93. The apparatus of claim 82, wherein at least one of said computerized central communications facilities is configured to provide employee recruiting information.

94. The apparatus of claim 82, wherein at least one of said computerized central communications facilities is configured to verify the identity of said customer.

95. The apparatus of claim 82, wherein at least one of said computerized central communications facilities is configured to provide information about the sale or financing of housing.

96. The apparatus of claim 82, wherein at least one of said computerized central communications facilities is configured to provide a coupon relating to said goods or services to said customer.

97. The apparatus of claim 82, wherein at least one of said computerized central communications facilities is configured to provide a discount relating to said goods or services to said customer.

98. The apparatus of claim 82, wherein at least one of said computerized central communications facilities is configured to charge said customer a fee to obtain access to said information relating to goods or services.

99. The apparatus of claim 87, wherein at least one of said central communications facilities is configured to initiate contact with said customer.

100. The apparatus of claim 87, wherein at least one of said central communications facilities is configured to contact said customer and apprise said customer of goods or services offered or any special offerings.

101. The apparatus of claim 87, wherein at least one of said central communications facilities is configured to provide employee recruiting information.

102. The apparatus of claim 87, wherein at least one of said central communications facilities is configured to verify the identity of said customer.

103. The apparatus of claim 87, wherein at least one of said central communications facilities is configured to provide information about the sale or financing of housing.

104. The apparatus of claim 87, wherein at least one of said central communications facilities is configured to provide a coupon relating to said goods or services to said customer.

105. The apparatus of claim 87, wherein at least one of said central communications facilities is configured to provide a discount relating to said goods or services to said customer.

106. The apparatus of claim 87, wherein at least one of said central communications facilities is configured to charge said customer a fee to obtain access to said information relating to goods or services.

107. The apparatus of claim 87, wherein at least one of said central communications facilities is configured provide auctioning services.

108. A marketing apparatus for use with a distant communication including means for storing a digital image and a data record of a good for sale within said distant communication



apparatus and a means for transmitting said digital image and data record to said marketing apparatus; said marketing apparatus comprising:

a communication means for communicating with said distant communications apparatus;

a processor operably connected to said communications means, said processor receiving the data record of a good for sale from said distant communications apparatus, said processor receiving an identification code from said distant communications apparatus;

a storage device operably connected to said processor, said storage device adapted to receive said data record of a good for sale, said data record containing an image of said good for sale and a written description of said good for sale;

presentation software operably connected to said storage device and a communications link, said presentation software providing , via said communications link, and interface to said marketing apparatus for a customer, thereby giving the customer access to said data record written description and said image of said good for sale;

a transaction processor operably connected to said communications link and said storage device, said transaction processor adapted to enable customer to tender payment, and to approve said payment means; and

a transaction record means operably connected to said transaction processor, said transaction record means transmitting to said customer in response to said purchase request a record of said transaction.

109. The marketing apparatus of claim 108 wherein at least one of said apparatus is configured to provide auctioning services.

110. The marketing apparatus of claim 108 wherein at least one of said apparatus is

configured to provide a coupon relating to said goods or services to said customer.

111. The marketing apparatus of claim 108 wherein at least one of said apparatus is configured to provide information about the sale or financing of vehicles.

112. The marketing apparatus of claim 108 wherein at least one of said computerized central communications facilities is configured to enable said customer to select and contact another computerized central communications facility.

113. The marketing apparatus of claim 108 wherein at least one of said apparatus is configured to contact said customer and apprise said customer of goods or services offered or any special offerings.

114. The marketing apparatus of claim 108 wherein at least one of said apparatus is configured to initiate contact with said customer.

115. An apparatus to market and/or sell goods or services over an electronic network comprising:

a first computerized central communications facility adapted to be linked to a computerized remote facility and to a plurality of other computerized central communications facilities, each of said first or other computerized central communications facilities having information relating to goods or services stored in a database, and each of said first or other computerized central communications facilities having a processor programmed to:

receive from a customer located at said computerized remote facility a request to at least one of search, browse and access in said database at said first or other computerized central communications facility for information of interest;

enable said customer to at least one of search, browse and access said database for

information of interest; and

transmit said information of interest from the database at said computerized central communications facility to said computerized remote communications facility;

wherein at least one of said computerized central communications facilities is adapted to provide said customer information regarding rentals ~~of products~~.

116. The apparatus of claim 115 wherein said rentals are entertainment products.

117. The apparatus of claim 115 wherein the products are movies.

118. The apparatus of claim 115 wherein the products are recorded performances.

119. The apparatus of claim 115 wherein the products are games.

120. The apparatus of claim 115 wherein the products are music.

121. The apparatus of claim 115 wherein at least one of said computerized central communications facilities is adapted to enable said customer to print said information.

122. The apparatus of claim 115 wherein at least one of said computerized central communications facilities is configured to enable said customer to select and contact another computerized central communications facility.

123. A method for running application software in a computer network environment, comprising:

providing at least one computerized remote communications facility and at least one computerized central communications facility coupled to said network environment, wherein said network environment is a hypermedia transmitted environment;

executing, at said computerized remote communications facility, browsing

application software that processes a first transmitted hypermedia document to identify visual and/or audio information in said hypermedia document caused to be transmitted from said computerized central communications facility for a customer at said computerized remote communications facility;

utilizing said browsing application software to display, on a monitor at said computerized remote communications facility, at least a portion of a first transmitted hypermedia document received over said network from said computerized central communications facility, wherein a portion of said first hypermedia document is displayed within a first browsing application software window on said monitor at said computerized remote communications facility, wherein said computerized remote communications facility has downloaded application software from at least one of said computerized central communications facilities in a current or past session, wherein said browsing application software is operational to process information contained in said hypermedia document, and wherein said downloaded application software is operational to translate information contained in said transmitted hypermedia document in order to display in said first browsing application software window or otherwise reproduce said information at a computer for said customer at said computerized remote communications facility.

124. The method of claim 123 wherein at least one of said computerized central communications facilities is configured to provide a coupon relating to goods or services to said customer.

125. The method of claim 123 wherein at least one of said computerized central communications facilities is configured to provide auctioning services.

126. The method of claim 123 wherein at least one of said computerized central communications facilities is configured to provide information about the sale or financing of vehicles.

127. The method of claim 123 wherein at least one of said computerized central communications facilities is configured to enable said customer to select and contact another computerized central communications facility.

128. The method of claim 123 wherein at least one of said computerized central communications facilities is configured to contact said customer and apprise said customer of goods or services offered or any special offerings.

129. The method of claim 123 wherein at least one of said computerized central communications facilities is configured to initiate contact with said customer.

130. A method for enabling a remote user to preview a portion of a pre-recorded entertainment product from a network computerized central communications facility containing pre-selected portions of different pre-recorded entertainment products, using a computer, a computer display and a telecommunications link between the remote user's computer and the network computerized central communications facility, the method comprising the steps of:

a) using the remote user's computer to establish a telecommunications link to the network computerized central communications facility wherein the network computerized central communications facility comprises (i) a central computer coupled to a communications network for retrieving and transmitting the pre-selected portion of the pre-recorded entertainment product upon request by a remote user and (ii) a central storage device for storing pre-selected portions of a plurality of different pre-recorded entertainment products;

b) choosing at least one pre-selected portion of the pre-recorded entertainment products from said central computer;

c) receiving the chosen pre-selected portion of the pre-recorded products; and

d) interactively previewing the received chosen pre-selected portion of the pre-recorded entertainment product.

131. The method of claim 130 wherein the method further comprises the step of transmitting user identification data from the remote user's computer to the central host server thereby allowing the central host server to identify and track the user's progress through the network computerized central communications facility.

132. The method of claim 130 wherein said network comprises multiple computerized central communications facilities and wherein at least one of said computerized central communications facilities is configured to provide a coupon relating to said goods or services to said customer.

133. The method of claim 130 wherein said network comprises multiple computerized central communications facilities and wherein at least one of said computerized central communications facilities is configured to provide auctioning services.

134. The method of claim 130 wherein said network comprises multiple computerized central communications facilities and wherein at least one of said computerized central communications facilities is configured to provide information about the sale or financing of vehicles.

135. The method of claim 130 wherein said network comprises multiple computerized central communications facilities and wherein at least one of said computerized central

communications facilities is configured to enable said customer to select and contact another computerized central communications facility.

136. The method of claim 130 wherein said network comprises multiple computerized central communications facilities and wherein at least one of said computerized central communications facilities is configured to contact said customer and apprise said customer of goods or services offered or any special offerings.

137. The method of claim 130 wherein said network comprises multiple computerized central communications facilities and wherein at least one of said computerized central communications facilities is configured to initiate contact with said customer.

138. An apparatus for marketing goods and/or services, comprising:

a computerized central communications facility providing information relating to goods and/or services to customers at a plurality of computerized remote facilities, each of said plurality of computerized remote facilities remote from and linked to said computerized central communications facility; and

a database of information relating to said goods and/or services accessible to customers at said plurality of computerized remote facilities;

wherein said computerized central communications facility provides auctioning services including receipt of auction bids placed by customers from said plurality of computerized remote facilities.

139. The apparatus of claim 115 wherein said rentals are travel rentals.

140. An apparatus to market and/or sell goods or services over an electronic network comprising:

a first computerized central communications facility adapted to be linked to a computerized remote facility and to a plurality of other computerized central communications facilities, each of said first or other computerized central communications facilities having information relating to goods or services stored in a database, and each of said first or other computerized central communications facilities having a processor programmed to:

receive from a customer located at said computerized remote facility a request to at least one of search, browse and access in said database at said first or other computerized central communications facility for information of interest;

enable said customer to at least one of search, browse and access said database for information of interest; and

transmit said information of interest from the database at said computerized central communications facility to said computerized remote communications facility;

wherein at least one of said computerized central communications facilities is adapted to provide said customer information regarding entertainment rentals.

141. The apparatus of claim 140 wherein said rentals are movie rentals.

142. The apparatus of claim 140 wherein at least one of said computerized central communications facilities is adapted to enable said customer to print said information.

143. The apparatus of claim 140 wherein at least one of said computerized central communications facilities is configured to enable said customer to select and contact another computerized central communications facility.